

Message Text

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67

ORIGIN PM-04

INFO OCT-01 NEA-10 ISO-00 EB-07 L-03 CIAE-00 INR-07

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DRAFTED BY PM/SAS:DHESTER:RF

APPROVED BY PM/SAS - DJJAMES

NEA/AFN - S. ESCUDERO

TREASURY - C. CROSSWHITE (SUB)

DOD/DSAA - P. SOMMER (SUB)

----- 083188

R 210026Z JUL 76

FM SECSTATE WASHDC

TO AMEMBASSY RABAT

INFO SECDEF

TREASURY

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E.O. 11652: N/A

TAGS: MASS, MO

SUBJECT: GOM LEGAL OPINION UNDER FY 76 FMS LOAN AGREEMENT

1. ROLAND H. COOK, SECRETARY OF FEDERAL FINANCING BANK (FFB), INFORMED GOM MILITARY ATTACHE IN WASHINGTON, LT. COL. TERHZAZ, IN LETTER DATED JULY 2 THAT LEGAL OPINION PROVIDED BY GOM UNDER TERMS OF FY 76 FMS LOAN AGREEMENT WAS UNSATISFACTORY BECAUSE IT WAS SIGNED BY GOM SECRETARY GENERAL OF THE ADMINISTRATION OF NATIONAL DEFENSE WHOSE POSITION, FFB UNDERSTANDS, IS NOT RPT NOT THAT OF LEGAL ADVISOR AND WHOSE PRESENT INCUMBENT IS NOT RPT NOT AN ATTORNEY AT MOROCCAN LAW. FFB NEVERTHELESS ADVANCED \$9,086,361.00 ON JUNE 23 WITH UNDERSTANDING THAT SATISFACTORY LEGAL OPINION WOULD BE PROVIDED BY GOM BEFORE SECOND ADVANCE OF FUNDS WOULD BE MADE.

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2. COOK LETTER ALSO STATED TREASURY IS AWARE THAT FFB

ACCEPTED LEGAL OPINION OF SECRETARY GENERAL IN CONNECTION
WITH JUNE 27, 1975 FMS LOAN AGREEMENT, BUT THIS WAS DUE TO
OVERSIGHT ON PART OF FFB.

3. WE UNDERSTAND GOM WAS SCHEDULED TO MAKE ANOTHER PAYMENT

TO LOCKHEED ON/ABOUT JULY 15. FURTHER ADVANCES, HOWEVER,
OF FY 76 CREDIT FUNDS TO MEET THIS PAYMENT IS DEPENDENT
UPON RECEIPT OF SATISFACTORY LEGAL OPINION. SUGGEST
EMBASSY ENCOURAGE APPROPRIATE GOM OFFICIALS TO FORWARD
SATISFACTORY LEGAL OPINION, IF GOM HAS NOT ALREADY DONE
SO. KISSINGER

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Margaret P. Grafeld
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